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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/714,853	11/15/2000	Steve Litzow	XPWZ-1-1006	5296

25315 7590 10/09/2003

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SEATTLE, WA 98104

EXAMINER

THOMPSON JR, FOREST

ART UNIT	PAPER NUMBER
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3625

DATE MAILED: 10/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/714,853

Applicant(s)

LITZOW ET AL.

Examiner

Forest Thompson Jr.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 November 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4. 6) ☐ Other:

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DETAILED ACTION

1. Claims 1-11 have been examined.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1-11 are rejected under 35 U.S.C. 102(a) as being anticipated by Puri (U.S. Patent No. 6,064,982).

Claims 1-11: Puri discloses the functionality that encompasses the claimed aspects of applicants' invention. Puri specifically discloses:

- a tool for smart system configuration assists in needs assessment, product/options selection, pricing, and distribution. The tool recommends a system configuration that most nearly meets a customer's needs, based upon the results of an interactive customer product selection session in which the customer progresses through a dialog that is implemented in a series of cascading style sheets. The tool is customizable to meet customer-specific requirements. A proposal template is provided to collect customer input and merge customer responses during the product selection session into fields within a proposal template. (Abstract)

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- The invention provides a tool for smart system configuration that assists in needs assessment, product/options selection, pricing, and product distribution. The tool recommends a system configuration that most nearly meets a customer's needs, based upon the results of an interactive customer product selection session in which the customer progresses through a dialog that is implemented in a series of cascading style sheets. The tool is customizable to meet customer specific requirements. A proposal template is provided to collect customer input and merge customer responses during the product selection session into fields within a proposal template. (col. 2 lines 28-39)
- The smart configurator includes various automated and autonomous (i.e. off-line) functions that are accessible by the browser through a database 23. The database includes modules for any desired function that is part of the sales process (although the invention may be implemented for other than sales applications, for example in medical examinations). The preferred embodiment of the invention includes a product selection module 30, a pricing calculation module 31, a module that assists a user in determining hardware needs 32, a module that assists company field personnel in creating a customer proposal 33, a module that assists company field personnel in locating a part number 34, a module that provides access to company and/or partner resources 35, and a module that provides pricing and SKU information 36. The various modules comprise linked pages that allow a user to move throughout a dialog in an expeditious fashion. (col. 3 lines 24-40)

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- Fig. 2 steps the user through the process of selecting, configuring and locating products/hardware for purchase (fig. 2 [104, 106, 108, 110, 112, 114]; col. 3 lines 50-67).

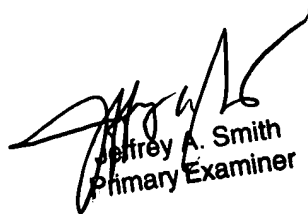
Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Forest Thompson Jr. whose telephone number is (703) 306-5449. The examiner can normally be reached on 6:30-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on (703) 308-1344. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

FT
09/30/2003


Jeffrey A. Smith
Primary Examiner